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SUPREME COURT
STATE OF WASHINGTON

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BY RONALD R. CARPENTER
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re)	Supreme Court No. <u>2001282-5</u>
)	
FIONA A. Crinks KENNEDY)	LAWYER'S RESPONSE
)	TO PETITION FOR
Lawyer (Bar No. 32385))	INTERIM SUSPENSION

COMES NOW Fiona A. Crinks Kennedy, Lawyer (Bar No. 32385), and hereby provides the following response to the Petition For Interim Suspension filed with this Court by the Washington State Bar Association Office of Disciplinary Counsel:

1. Lawyer acknowledges that the Office of Disciplinary Counsel is not satisfied with Lawyer's responses to their requests for information, and, without addressing the specifics of each allegation outlined in the Declaration of Disciplinary Counsel, Lawyer agrees that she appeared for one deposition on March 5, 2008, but has failed to appear for a deposition after that, despite being subpoenaed.
2. Lawyer initially responded to the request for information regarding the trust account overdraft grievance, WSBA File No. 07-01974 and to the grievance filed by J. Scott Pettet, WSBA File No. 08-00778. However, lawyer admits that additional information was not provided when requested.
3. As of the date of this response, Lawyer has discussed these issues with Marsha Matsumoto of the Office of Disciplinary Counsel, and has agreed to appear for her deposition at (:30 a.m. on Tuesday June 9, 2009. Lawyer has further agreed to bring the files and documents requested, and will be prepared to answer the questions posed by Ms. Matsumoto to the best of her ability.
4. Lawyer further wishes to personally address this Court at the Show Cause hearing on June 11, 2009, at 1:00 p.m., to provide details of what she believes are mitigating factors for her conduct. Stated briefly, in the past two years, lawyer has experienced multiple personal losses and been under an enormous amount of stress emotionally due to such. These include the loss of her father,

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leaving the marital home with two toddlers, a one and a half year divorce and custody battle, an unstable co-tenant of office space, closing her practice in Idaho, relocation of her residence from Idaho to King County and back to Idaho, and the implications resulting from each of these.

5. Lawyer would further like to address the Court to detail the outcome of her deposition scheduled for Tuesday June 9, 2009, and show this Court that she is no longer struggling emotionally from these stressors, and is willing and able to now respond to any request from the Office of Disciplinary Counsel or this Court, in order that she not be suspended or disciplined.
6. Lawyer wishes to point out to this Court that since the filing of the Petition, the grievance filed by J. Scott Pettet has since been dismissed by the Office of Disciplinary Counsel, with a finding of no misconduct or unethical actions by Lawyer.
7. Lastly, Lawyer believes it is important that this Court be made aware that the trust account overdraft issue for which a grievance was brought, did not in any way harm, injure, or affect a client in any way. The Pettet grievance also did not involve any harm or injury to a client, as it was a dispute with the doctor, the grieving party. The Ingemi grievance has not been responded to by Lawyer, but there was no harm or injury suffered by Ms. Ingemi. In short, the allegations against Lawyer are ones in which she did nothing that affected or compromised a client or their case.

DATED This 4th day of June, 20 09.

/s/

Fiona A.C. Kennedy
Lawyer (Bar No. 32385)